

SUPPORT FOR THE AMENDMENTS

Newly-added Claims 53-71 are supported by the specification and the original claims. No new matter is believed to have been added to the present application by the amendments submitted above.

REMARKS

Claims 53-71 are pending. Favorable reconsideration is respectfully requested.

Applicants would like to thank Examiner Devi for the helpful and courteous discussion held with their representative on January 20, 2010. During the discussion, amendments were discussed to overcome the cited references. The following remarks expand on the discussion with the Examiner.

The present invention relates to isolated and purified pili obtained from *Mycobacterium tuberculosis*, wherein the pili:

(a) comprise pilin monomers, wherein the pilin monomers comprise proteins having a molecular weight of 14-25 kDa,

(b) are in the form of aggregated fibers, wherein the fibers have a width of about 2 to 7 nm and a length of at least 5 nm, and

(c) are immunogenic.

See Claim 53.

The present invention also relates to an isolated and purified pilin protein monomer having a molecular weight of 14-25 kDa and comprising SEQ ID NO: 1, 2, 3 or 5. See Claim 66.

The rejection of the claims under 35 U.S.C. §102(b) over Reed et al. (WO 97/09429 A2) is respectfully traversed. Reed et al. fail to disclose or suggest the isolated and purified pili and pilin protein monomer recited in Claims 53 and 66, respectively.

Reed et al. disclose isolating polypeptides from *M. tuberculosis*. See the Abstract. The reference simply fails to disclose or suggest immunogenic isolated and purified pili obtained from *Mycobacterium tuberculosis* which (a) comprise pilin monomers, wherein the pilin monomers comprise proteins having a molecular weight of 14-25 kDa and (b) are in the form of aggregated fibers, where the fibers have a width of about 2 to 7 nm and a length of at

least 5 nm, as set forth in Claim 53. Reed et al. also fail to disclose or suggest isolated and purified pilin protein monomer having a molecular weight of 14-25 kDa and comprising SEQ ID NO: 1, 2, 3 or 5 as recited in Claim 66.

In view of the foregoing, Reed et al. fails to disclose or suggest the claimed isolated and purified pili or pilin protein monomer. Accordingly, the subject matter of the pending claims is not anticipated by or obvious over that reference. Withdrawal of this ground of rejection is respectfully requested.

The rejection of the claims under 35 U.S.C. §112, second paragraph, is believed to be obviated by the amendments submitted above. The issues raised in the Office Action are believed to be addressed by those amendments. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The objections to the claims are believed to be obviated by the amendments submitted above. The issues raised in the Office Action are believed to be addressed by those amendments. Accordingly, withdrawal of these objections is respectfully requested.

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

James J. Kelly, Ph.D.
Attorney of Record
Registration No. 41,504

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)